

PROB 12C
(7/93)**UNITED STATES DISTRICT COURT**

for

WESTERN DISTRICT OF TEXAS

FILED
 NOV 12 2024
 CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY [Signature]
 DEPUTY CLERK

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Saul Cifuentes Case Number: DR:21-CR-00336(1)-AM
 Name of Sentencing Judicial Officer: Honorable Alia Moses, Chief United States District Judge
 Date of Original Sentence: March 17, 2022
 Original Offense: Conspiracy to Transport Illegal Alien, in violation of 8 U.S.C. § 1324
 Original Sentence: 14 months imprisonment followed by a 3 year term of supervised release
 Type of Supervision: Supervised Release Date Supervision Commenced: March 29, 2022
 Assistant U.S. Attorney: Holly Diane Pavlinski Defense Attorney: Juan Neri III (AFPD)

PREVIOUS COURT ACTION

The original petition and warrant were filed in this matter on July 30, 2024.

PETITIONING THE COURT

☒ No action. The petition was amended to include the offender was arrested for illegally possessing a firearm.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|---|
| 1. | Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision. |
|----|---|

On June 13, 2024, in the Southern District of Texas, the offender violated the conditions of his supervised release by committing the offenses of Family Violence – Assault (A/C) Bodily Injury 15years old and up, in violation of Texas Penal Code § 46.04.

According to the Houston Police Department Offense report, on June 12, 2024, Jennifer Gonzalez (the offender's girlfriend) reported that she had been assaulted by her boyfriend Saul Cifuentes (the offender). Ms. Gonzalez states that she spent the night at the offender's home on June 11, 2024, and at approximately 12:10am on June 12, 2024, the offender began hitting her with open hands on her arms, legs, and face with no warning while in his bed. She stated he eventually punched her with a closed fist in her right arm approximately five to seven times, held her arms, and began laughing. Ms. Gonzalez states she began to defend herself and slapped him in the face, and he turned around and slapped her in the face and hit her on top of her head approximately six times. Ms. Gonzalez attempted to leave, but the offender took her keys and phone so she could not leave. He instructed her to lay down or he would "beat the fuck out of" her and kill her. After approximately 30 minutes, the offender gave her the keys and phone back, and the victim attempted to call the police but was placed on hold and was

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not able to speak to an officer. Ms. Gonzalez stated to the police officer taking the report that she knows the offender owns a gun and is concerned for hers and her daughter's safety since he threatened to kill her. The victim also indicated that in February, April, and May the offender also assaulted her, but she did not report those instances to police when they occurred.

The offender was arrested on the warrant which was issued in the matter on July 25, 2024, and he was released on a \$1,000 surety bond on July 26, 2024. The charge remains pending in the Harris County Court at Law No. 12 under Cause No. 252023501010-2.

2. **Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.**

According to a Houston, Texas, Police Department offense report, on August 11, 2024, officers observed a white BMW sedan accelerate at a high rate of speed from a red traffic light reaching speeds of up to 50mph in a 30mph speed limit zone. A traffic stop of the vehicle was conducted and officers made contact with the driver, who was identified as the offender. After conducting a criminal history check, it was discovered the offender had a prior federal felony conviction, and he had an active warrant from the U.S. Marshall's Service for a supervised release violation petition (instant offense). The offender was placed under arrest without incident. During the process, officers observed a black Interarms Helwan 9mm cal. handgun (Serial No. 1063075) behind the driver's seat on the rear passenger floorboard. Officers contacted the Harris County District Attorney's Office and found that the offender was also on bond for Assault Family Member and is not to use or possess a firearm per the conditions of his bond.

On August 12, 2024, a complaint was filed in the matter charging the offender with Unlawful Possession of a Firearm by Felon, under Cause No. 188028601010-3. The case remains pending before the 183rd Judicial District Court of Harris County.

U.S. Probation Officer Recommendation: Since his release, the offender has been supervised by the Houston Division of the United States Probation Office for the Southern District of Texas. As evidenced above, despite being on supervised release, the defendant has not been deterred from engaging in very concerning criminal activity. His decision to utilize violence in such a trivial situation is indicative that he has no regard for his conditions of supervision and no respect for his significant other's right to be free from physical harm. Furthermore, the offender has continued to engage in dangerous criminal activity by possessing a firearm. In consideration of this information, it is respectfully recommended the offender's term of supervised release be revoked.

The term of supervision should be

- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 supervised release)
- ☐ extended for _____ years for a total term of _____ years
- ☐ the conditions of supervision should be modified as follows:

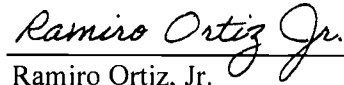
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Approved by:



Darren P. Kohut
Supervising U.S. Probation Officer

Respectfully submitted by:



Ramiro Ortiz, Jr.
U.S. Probation Officer Assistant
Telephone: (830) 703-2089, ext. 6147
Date: September 30, 2024

Approved:

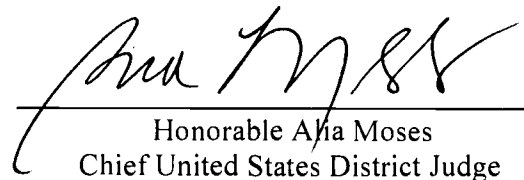


Katherine M. Gorski
Supervisory Assistant U.S. Attorney

cc: Andrew Gonzales
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

- ☒ No action. The petition was amended to include the offender's arrest for illegally possessing a firearm.
 - ☒ Copies to attorneys.
 - ☐ The issuance of a WARRANT. Bond is set in the amount of \$_____ cash/surety with supervision by the United States Probation Office to continue as a condition of release.
 - ☐ The issuance of a SUMMONS.
 - ☐ Other _____
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Honorable Aha Moses
Chief United States District Judge

11/12/24
Date